

**STANDARDS PRESENTATION
TO
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

**PROPOSED STATE STANDARD,
TITLE 8, CHAPTER 4**

Add new Article 5.1 and Section 3005 as follows:

Article 5.1. Accident Reports and Procedures

§ 3005. Reporting Accidents Involving Listed Devices.

(a) Scope. This Article applies to all devices listed in Section 3000(c). For the purposes of this Article:

The device owner's "responsible agent" may include the building/site manager or others designated by the device owner.

"Immediately" means as soon as practically possible, but not longer than 8 hours after the owner/responsible agent knows, or with diligent inquiry would have known, of the death or serious injury. If the owner/responsible agent can demonstrate that exigent circumstances exist, the time frame for the report may be made no longer than 24 hours after the incident.

"Incident" means any event, failure, or malfunction of a listed device, which reasonably and substantially appear to have an impact on the safety of the public or employees or results in an injury requiring only ordinary first aid. Incidents do not include accidents covered in subsection (b).

"Serious injury" means any injury, which requires inpatient hospitalization for a period in excess of 24 hours for other than medical observation or in which a person suffers a loss of any member of the body, any serious degree of permanent disfigurement, or a broken bone.

(b) All known accidents where maintenance, operation, or use of a listed device results in injury to any person(s) which requires medical treatment beyond ordinary first aid shall be reported in writing within five days of the accident to the Elevator Unit Headquarters Office in Anaheim.

(1) All known serious injuries or deaths resulting from the maintenance, operation, or use of a listed device shall be reported immediately by the owner/responsible agent via telephone to the Elevator Unit Headquarters Office in Anaheim.

(c) If a death or serious injury results, the owner/responsible agent shall preserve all equipment and site conditions for investigation by the Division.

(1) Upon receiving a report of an accident from an owner/responsible agent, the Division shall determine whether further preservation of the equipment or site conditions is necessary and shall inform the owner/responsible agent of its determination.

(2) If the Division determines that continued preservation is necessary, the Division shall make a reasonable effort to initiate the accident investigation within 24 hours of receipt of the report from the owner/responsible agent.

(3) Upon initiating the accident investigation, the Division shall provide the owner/responsible agent with instructions on how long the equipment or site conditions shall continue to be preserved.

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(d) Any state, county, or local fire or law enforcement agency responding to an accident involving a listed device where the accident results in a serious injury or death shall immediately notify the Elevator Unit Headquarters Office in Anaheim.

(e) All accident reports, whether by telephone or in writing, shall include the following information if available:

- (1) The date, time, and location of the accident.
 - (2) The name, address and telephone number of the owner of the device.
 - (3) The name and telephone number of the person reporting the accident.
 - (4) The names, addresses, and telephone numbers of all persons involved in the accident.
 - (5) The names, addresses, and phone numbers of all witnesses and the contact person at the accident site.
 - (6) A description of the injury(ies) and treatment provided to the injured party(ies) involved in the accident.
 - (7) A detailed description of the accident.
 - (f) All Incidents shall be documented to include a description of the incident and the date on which the incident occurred. The documentation shall be kept in the elevator machine room or similar area adjacent to the device and shall be available for review by the Division during the Division's annual inspection of the device.
- NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.